

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute—Industrial Dispute between the Workmen and the Management of Keshige Estate, Mudigere Post, Chickmagalur District.
Award of the Labour Court, Bangalore—Published.

Read the following papers :—

(1) Letter No. 931/57-64, dated 27th November 1967, from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT,
BANGALORE.

Dated this 27th day of November 1967.

Present

Shri P. T. Kadkol, B. Sc., LL.B., ... Presiding Officer.

Reference. No. 44 of 1966.

Workmen represented by the Secretary, Karnataka Provincial
Plantation Workers' Union, Chickmagalore ... *I Party.*

Vs

The Management of Keshige Estate, Mudigere Post, Chick-
magalur District ... *II Party.*

Reference: Government Order No LMA 124 LLD 66, dated 5th
April 1966.

AWARD.

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of Keshige Estate, Mudigere Post, Chickmagalore District have referred it to this court for adjudication under section 10 (1) (a) of the Industrial Disputes Act 1947 by their Order No. LMA 124 LLD 66, dated 5th April 1966, setting out the following points of dispute for adjudication.—

“Whether the Management of Keshige Estate, Mudigere Post, Chickmagalur are justified in dismissing Sri Dorai Swamy Maistry, a worker of the said estate from 6th December 1964; if not is Sri Dorai Swamy entitled to reinstatement with back wages and continuity of service or any other relief if any?”

2. The cause of the aggrieved workman has been sponsored by the Karnatak Provincial Plantation Workers' Union, Chickmagalur. This Union, as representing the workmen, is the First Party and the Management of the Kenshige Estate is the Second Party, in this proceeding. Mr. Vishwanath the Assistant Secretary of the Union has appeared for the First Party and Mr. Ramadas has appeared for the Second Party.

3. The First Party Union has alleged in the claim statement that the aggrieved workman had been dismissed by the Management of the Second Party, without any reason and the dismissal was illegal and unjust. The Management of the Second Party has alleged in the statement of objections that the aggrieved workman had tendered his resignation and left the job voluntarily to avoid facing an enquiry into a charge of misconduct. The answer by the Union to this contention is that the resignation was obtained from the workman by the Management, illegally. The necessary issues regarding the validity of the resignation were framed and set down for hearing :

4. Both the parties adduced oral as well as documentary evidence on the issues at Chickmagalore and also submitted their arguments. The aggrieved workman stated in his deposition that he did not want to go back and serve under the Second Party and hence some suitable compensation be awarded to him. After the arguments were heard, the learned representatives on both sides discussed the matter and reached a settlement. They have submitted a joint memorandum of settlement marked Ex. A. The Management has paid the workman Rs. 50 and the dispute has been settled. I am of the view that this settlement is quite fair and reasonable and I accept it. In the result, I make the following Award.

AWARD

The Reference is accepted and an Award is made between the parties as per the terms contained in the joint memorandum Ex. A. which should be annexed to this Award and be deemed as forming part thereof.

(Sd.) P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"COPY"
P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

5773

BEFORE THE HONOURABLE LABOUR COURT,
BANGALORE.

Reference No. 44 of 1966.

Workmen of Kenshige Estate

I Party.

Vs

Management of Kenshige Estate

II Party.

MEMO

After the evidence and argument the 1st Party and 2nd Party have amicably settled this case and the 2nd Party has paid in court a sum of Rs. Fifty only (Rs. 50) to be paid to Sri Doraiswamy. The 1st Party gives up all the claims in the above dispute including reinstatement of Sri Doraiswamy.

The 1st Party and 2nd Party pray that an Award be passed in the above terms.

24-11-67

I Party

(Sd.) A. K. Viswanath,
24-11-1967.

II Party

(Sd.) K. Ramadas,
24-11-1967

T. M. of Doraiswamy,
The amount of 50 rupees received.
Filed, recorded and marked Ex. A.
Undtd. P. T. K
24-11-1967

(Sd.) M. S. Krishnappa,
24-11-1967

"Copy"

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.
27-11-1967

5774

ORDER

Bangalore, dated 14th December 1967.

S. O. 2354.—WHEREAS by State Government Order No. LMA 124 LLD 68, dated 6th April 1966 the Industrial Dispute between the Workmen and the Management of Kengale Estate, Mysore Post, Channarayana District was referred to the Labour Court, Bangalore for adjudication;

AND WHEREAS the Labour Court, has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the Mysore Gazette.



[No. LMA 124 LLD 68.]

By Order and in the name of the Governor of Mysore,

1596

G. G. PUROHIT, *Under Secy.*